

**PATENT****REMARKS****Status of claims**

This application was filed on May 22, 1998, with Claims 1-23. Claims 6, 8, 9 and 13 were canceled and Claims 24-33 added in a preliminary amendment filed concurrently. Claims 34-42 were added by amendment in a response to the Office Action of August 18, 1998. Claims 43-48 were added by amendment in a response to the Office Action of October 18, 1998. A Continued Prosecution Application (CPA) was filed on December 29, 2000 canceling Claims 2-5, 10-12, 14, and 24-48 and adding new Claims 49-97. Claims 75-84, 90 and 95 were canceled as drawn to a non-elected species and Claims 98-127 were added in a response to the Office Action of June 6, 2001. Claim 1 was canceled as drawn to a non-elected invention and Claims 63, 102, 112, 117 were canceled in a response to the Final Office Action of February 1, 2002. Claims 100, 103, 104, 107, 110, 115, and 125 were canceled in a response to the Office Action of July 12, 2002. Claims 49-62, 65-74, 85-89, 91-94, 96-99, 101, 105, 106, 108, 109, 111, 113, 114, 116, 118-124 and 126-127 are in the case. Of these claims 49-60, 93-94, 96-99, 101, 105-106, 108, 114, 116, 118-124 and 126-127 are allowed.

Claims 49, 61 and 85 are amended herein. The amendment to claim 49 is made merely to correct an inconsistency in the claim language and does not narrow the scope of the claim. The amendments to Claims 61 and 85 are discussed below.

**Summary of Interview**

A personal interview was held on September 11, 2002 with Examiner Pedder and Timothy Corder attending. Applicants' representative appreciates the Examiner's helpful suggestions and his professional and courteous manner in conducting the interview. The rejections of record were discussed, including the objection to the drawings.

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**The objection to the drawings is overcome.**

The objection to the drawings is overcome by the amendment to claim 85. The Examiner and Applicants' representative agreed during the personal interview that this amendment would remove the objection to the drawings.

**The Rejection of Claims 61, 62, 64-74, 109, 111, and 113 Under 35 U.S.C. §112, Second paragraph are overcome.**

Claim 61 and claims depending therefrom were rejected by the Action, stating that the term "rear-most side door" lacked antecedent basis. Claim 61 is amended to further clarify the language of the claim and to provide antecedent basis for the term.

Claim 61 was also rejected for use of the phrase "configured to" accommodate the wheel wells. Applicants do not believe the language is indefinite. The Examiner's attention is drawn to Figures 9 and 10 and the description thereof on page 15, line 9, and page 16, line 6. However, in order to progress the case to allowance, the objected to language has been removed from the claim by amendment, thus obviating the rejection. There is support for amended Claim 61 throughout the Specification and Drawings, including a description of the wheel wells adjacent the side panels as cited in the Claim in Figures 5 and 6, for example.

The amendments are believed to be sufficient to overcome the rejections of Claim 61 under 112, 2<sup>nd</sup> and Applicants respectfully request that these rejections be withdrawn.

**The Rejection of Claims 85-89, 91 and 92 Under 35 U.S.C. §112, Second paragraph are overcome.**

Claim 85 and claims dependent therefrom are rejected as vague because claim 85 is said not to describe a structural boundary for the storage area. Claim 85 is amended to address the Examiner's concern and is thus in condition for allowance.

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**All rejections under 35 U.S.C. §103 are overcome.**

Claims 61, 62, 64, 65, 66, 68, 70, 72, 73, 109, 111 and 113 are rejected under 35 U.S.C. §103(a) as obvious over Levy and in view of McGloughlin, or McGloughlin and Dehnel or McGloughlin and Cogo.

As Claim 61 has been amended to further define the relationship of the side panel and the wheel well, this rejection is overcome. Neither the primary reference, Levy, nor the secondary reference, McGloughlin, even describe a wheel well, nor do their side panels include a curve in the side panel lower perimeter to accommodate a wheel well. For example, both Levy and McGloughlin describe vehicles in which the wheels are outside the width of the vehicle body and are covered by fenders that appear to be attached to the exterior of the vehicle body.

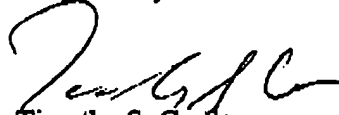
Because the cited references are completely missing an element of the claims, nor do they describe the equivalent thereof, they do not render the claims obvious. Neither do the Dehnel nor Cogo references supply the missing elements. Because the cited references can in no way be said to teach or suggest the invention of claim 61, Applicants request that this rejection be withdrawn.

**CONCLUSION**

The foregoing is intended to be a complete response to the Office Action. Applicant respectfully submits that from the foregoing observations and arguments, the claims are in condition for allowance. Such favorable action is respectfully requested. If the Examiner should have questions or comments regarding this response, a telephone call to the undersigned at 512-542-8446 is welcomed.

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Respectfully submitted,



Timothy S. Corder  
Registration No. 38,414  
Agent for Applicants

VINSON & ELKINS L.L.P.  
2300 First City Tower  
1001 Fannin Street  
Houston, Texas 77002-6760  
Ph: (512) 542-8446  
Fax (512) 236-3377

Date: September 13, 2002

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A marked up version of the claims as amended:

49. (Three times amended) A storage system for a vehicle having a driver compartment and a cargo area disposed to the rear of the driver compartment within a contiguous enclosure, wherein the enclosure is defined by a floor, a roof, [and] two opposing side walls which each connect the roof to the floor, and exterior side panels, wherein the cargo area includes opposing rear wheel wells extending into the cargo area from the bottom edges of the side panels,

the storage system comprising

at least one storage area adjacent to and separated from the cargo area, the storage area being defined by at least a portion of an outwardly bowed exterior side panel, an inner panel, a top and bottom which connect the inner panel to the exterior side panel, and wherein the storage area extends into the cargo area no further than the wheel well extends into the cargo area, wherein at least one section of at least one of the outwardly bowed exterior side panels is hinged to provide access to the storage area therein.

61. (Four times amended) A vehicle having a forward compartment for carrying a driver, and including at least one forward side door into the forward compartment, and an enclosure for passengers, merchandise or equipment wherein the enclosure is disposed to the rear of the driver compartment, and further wherein the enclosure is bounded by exterior, contoured side panels and a rear, including at least one rear door, and optionally at least one rear side door, and wherein [the] each side panel[s are configured] has a lower perimeter that includes a curve to accommodate a wheel well adjacent each side panel;

the vehicle comprising at least one storage area disposed between the rear-most one of said side doors and the rear of the vehicle, and adjacent at least one exterior, contoured side

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panel and extending into the enclosure of the vehicle, and wherein the side panel adjacent the storage area includes a hinged section effective to provide an opening from the exterior of the vehicle into the storage area, and further wherein the separation width and cross sectional contour of the side panels of the enclosure is substantially the same as the separation width and cross-sectional contour of the forward compartment where it adjoins the side panels of the enclosure.

85. (Four times amended) A vehicle comprising a driver's compartment and a rear compartment contained within the same enclosure, the rear compartment including a storage system, the rear compartment comprising:

a floor area bounded on either side by side panels with exterior surfaces defining the width of the rear compartment, two opposed wheel wells, one at each side of the floor panel, and wherein the side panels of the rear compartment are substantially aligned with the driver's compartment,

at least one hinged section in the exterior surface of at least one of the side panels,

at least one storage area located [intermediate the side panels,] adjacent the at least one hinged section, and extending into a cargo area of the vehicle to an inner wall of the storage area, wherein the hinged section is configured to provide access to the storage area when the hinged section is in the open position and wherein the width of the storage area is [the same or less] not greater than the width of the wheel well;

a latch for retaining the at least one hinged contoured side panel section in the closed position; and

a strut for retaining the hinged section in the open position.